

20.20.520 Landscape development.**I. Species Choice.**

The applicant shall utilize plant materials which complement the natural character of the Pacific Northwest, and which are adaptable to the climatic, topographic, and hydrologic characteristics of the site, and shall include at least 50 percent native species in the required plantings. If the subject property is within the Critical Areas Overlay District, the applicant shall utilize plant species as specified by the Director which enhance that critical area and critical area buffer. In selecting species, the applicant should utilize plant materials which reduce or eliminate the need for fertilizers, herbicides, or other chemical controls, especially for properties within the Critical Areas Overlay District. Plant materials may not include noxious weeds or species, as designated by the Director.

J. Alternative Landscaping Option.

1. The applicant may request a modification of the landscaping requirements set forth in subsections E through I of this section; provided, however, that modification of the provisions of paragraph F.6 of this section may not allow disturbance of a critical area or critical area buffer.

2. The Director may administratively approve a modification of the landscaping requirements of this chapter if:

a. The proposed landscaping represents an equal or better result than that which could be achieved by strictly following the requirements of this section; and

b. The proposed landscaping complies with the stated purpose of this section (subsection A), and with the purpose and intent of paragraphs F.1 and G of this section; and

c. If a modification of any paragraph excluding subsection E of this section is requested, the proposed landscaping either:

i. Incorporates the increased retention of significant trees and naturally occurring undergrowth; or

ii. Better accommodates or improves the existing physical conditions of the subject property; or

iii. Incorporates elements to provide for wind protection or to maintain solar access; or

iv. Incorporates elements to protect or improve water quality; or

v. Incorporates native species in a design that better buffers a critical area and critical area buffer from uses on the site, including parking.

d. If a modification of subsection E of this section is requested, the proposal either:

i. Incorporates the retention of significant trees equal in number to what would otherwise be required, or

ii. Incorporates the retention of other natural vegetation in consolidated locations which promotes the natural vegetated character of the site.

3. Effect of Approval. Following approval of alternative landscaping by the Director, the applicant may meet the landscaping requirements of this Code by complying with the approved landscape development proposal. A copy of the approved landscape development proposal will be placed in the official file.

K. Maintenance of Plant Materials.

1. The property owner shall replace any unhealthy or dead plant materials in conformance with the approved landscape development proposal and shall maintain all landscape material.

2. The Director shall require a maintenance assurance device for a period of one year from the completion of planting in order to ensure compliance with the requirements of this section in conformance with LUC 20.40.490.

L. Performance Assurance.

1. The required landscaping must be installed prior to issuance of the Temporary Certificate of Occupancy unless the Director determines that a performance assurance device, for a period of not more than one year, will adequately protect the interests of the City. In no case may the property owner delay performance for more than one year.

2. If a performance assurance device is permitted under paragraph L.1 of this section, the Director shall require an assurance device in conformance with LUC 20.40.490. (Ord. 5805, 3-3-08, § 6; Ord. 5683, 6-26-06, §§ 10 – 13; Ord. 5662, 3-20-06, § 1; Ord. 5587, 3-7-05, § 6; Ord. 5571, 12-6-04, § 5; Ord. 5480, 10-20-03, § 9; Ord. 5457, 7-21-03, § 5; Ord. 5431, 1-21-03, § 1; Ord. 5403, 8-5-02, §§ 6, 7; Ord. 5232, 7-17-00, § 5; Ord. 5089, 8-3-98, §§ 17, 18; Ord. 5086, 8-3-98, § 3; Ord. 4979, 3-17-97, § 6; Ord. 4973, 3-3-97, § 601; Ord. 4816, 12-4-95, § 701; Ord. 4302, 11-18-91, §§ 3 – 5; Ord. 4255, 6-3-91, § 3; Ord. 4130, 3-12-90, § 2; Ord. 3775, 5-26-87, §§ 12 – 15; Ord. 3690, 8-4-86, §§ 6, 7; Ord. 3530, 8-12-85, §§ 23 – 25; Ord. 3498, 5-27-85, § 16; Ord. 3145, 9-27-82, § 37)